

## § 51.2548

(4) *Particles and dust* means pieces of nut kernels which will pass through a  $\frac{5}{64}$  inch round opening.

(5) *Undersize* means pistachio nuts in the shell which fall through a  $\frac{39}{64}$  inch round hole screen.

[68 FR 50684, Aug. 22, 2003]

## § 51.2548 Average moisture content determination.

(a) Determining average moisture content of the lot is not a requirement of the grades, except when nuts are specified as “very well dried.” It may be carried out upon request in connection with grade analysis or as a separate determination.

(b) Nuts shall be obtained from a randomly drawn composite sample. Official certification shall be based on the air-oven method or other officially approved methods or devices. Results obtained by methods or devices not officially approved may be reported and shall include a description of the method or device and the owner of any equipment used.

[68 FR 50685, Aug. 22, 2003]

## § 51.2549 Metric conversion table.

Use the following table for metric conversion:

Inches	Millimeters
$\frac{5}{64}$ .....	1.98
$\frac{18}{100}$ .....	.46
$\frac{1}{4}$ .....	6.35
$\frac{39}{64}$ .....	11.88
Ounces	Grams
1 .....	28.35
2 .....	56.70

[68 FR 50685, Aug. 22, 2003]

## Subpart—United States Standards for Grades of Shelled Pistachio Nuts

SOURCE: 55 FR 28747, July 13, 1990, unless otherwise noted.

## § 51.2555 General.

(a) Compliance with the provisions of these standards shall not excuse failure to comply with provisions of applicable Federal or State laws.

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(b) These standards are applicable to raw, roasted, salted or salted/roasted pistachio kernels.

[55 FR 28747, July 13, 1990, as amended at 68 FR 50685, Aug. 22, 2003]

## § 51.2556 Grades.

(a) “U.S. Fancy,” “U.S. Extra No. 1,” and “U.S. No. 1” consist of pistachio kernels which meet the following requirements:

(1) Well dried, or very well dried when specified in connection with the grade.

(2) Free from:

(i) Foreign material, including in-shell nuts, shells, or shell fragments.

(3) Free from damage by:

(i) Immature kernels;

(ii) Kernel spotting; and

(iii) Other defects.

(4) Free from serious damage by:

(i) Mold;

(ii) Minor insect or vertebrate injury;

(iii) Insect damage;

(iv) Rancidity;

(v) Decay; and,

(vi) Other defects.

(5) Unless otherwise specified, kernels shall meet the size classification of Jumbo Whole Kernels (See § 51.2559).

(b) [Reserved]

[68 FR 50685, Aug. 22, 2003]

## § 51.2557 Tolerances.

(a) In order to allow for variations incident to proper grading and handling, the tolerances, by weight, in Table I are provided.

TABLE 1—TOLERANCES

Factor (tolerances by weight)	U.S. fancy (percent)	U.S. extra No. 1 (percent)	U.S. No. 1 (percent)
(a) Damage .....	2.0	2.5	3.0
(b) Serious Damage (Minor Insect or Vertebrate Injury, Mold, Rancid, Decay) ..	1.5	2.0	2.5
(1) Insect Damage, included in (b) .....	.3	.4	.5